~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Proverbs 19:20: “Listen to advice and accept instruction, that you may gain wisdom for the future.”

Let us pray. Dear Heavenly Father, open our ears that we may hear Your instructions for the living of these days. Open our hearts that we might obtain wisdom in dealing with the agenda set before us. In Your blessing, give wisdom and integrity to our Nation, President, State, Governor, Speaker, staff, and all who serve in these halls. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. ALLISON moved that when the House adjourns, it adjourn in memory of Dr. Truman Michael Raley of Columbia, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3229 -- Reps. Daning and Crosby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-5-170 SO AS TO CREATE THE DIVISION OF INTERSCHOLASTIC ATHLETICS TO SERVE AS THE SOLE GOVERNING BODY OF ATHLETICS FOR SOUTH CAROLINA PUBLIC SCHOOLS, TO PROVIDE FOR A DIRECTOR OF THE DIVISION APPOINTED BY THE SUPERINTENDENT OF EDUCATION, TO PROVIDE MATTERS ABOUT WHICH THE DIVISION SHALL PROMULGATE REGULATIONS AND FOR WHICH THE DIVISION MAY ISSUE EMERGENCY REGULATIONS, TO PROVIDE FOR THE CREATION OF AN ADVISORY COMMITTEE TO ASSIST THE DIVISION IN EVALUATING THE OVERALL INTERSCHOLASTIC ATHLETIC PROGRAM AND RELATED RECOMMENDATIONS, TO PROVIDE FOR THE COMPOSITION OF THE COMMITTEE, AND TO PROVIDE MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE SUPERINTENDENT OF EDUCATION AND MAY NOT RECEIVE COMPENSATION; AND TO AMEND SECTION 59-39-160, RELATING TO REQUIREMENTS FOR PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3472 -- Reps. Owens, Harrell, Patrick, Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb-Hunter, Allison, Pitts, Daning, Southard and Wood: A BILL TO AMEND SECTION 59-40-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3585 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF THE HONORABLE JAMES M. "JIMMY" LYNCH OF TIMMONSVILLE, RETIRED SUMMARY COURT JUDGE FOR FLORENCE COUNTY, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3587 -- Rep. Hodges: A HOUSE RESOLUTION TO CONGRATULATE READEL MAINE MURRAY OF YEMASSEE ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER MUCH FUTURE HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3588 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR KAY FARMER FOR HER SIGNIFICANT VOLUNTEER CONTRIBUTIONS TO HER COMMUNITY AND TO CONGRATULATE HER UPON RECEIVING THE MARY DEAN BREWER WOMAN OF THE YEAR AWARD.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3583 -- Reps. Putnam and Gagnon: A CONCURRENT RESOLUTION TO EXPRESS THE WILL OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA NOT TO PURSUE ANY INCENTIVES THAT MAY BE PROVIDED BY FEDERAL LAW OR THROUGH AN EXECUTIVE ORDER BY THE PRESIDENT OF THE UNITED STATES WHICH MAY INFRINGE UPON THE SECOND AMENDMENT'S RIGHT TO BEAR ARMS OF SOUTH CAROLINA CITIZENS THROUGH PARTICIPATION IN PROPOSED UNIVERSAL BACKGROUND CHECKS TO FURTHER RESTRICT THE PURCHASE OR OWNERSHIP OF GUNS OR OTHER FIREARMS BEYOND THAT WHICH IS ALREADY PROVIDED BY STATE LAW.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 414 -- Senators Jackson, Setzler, Matthews, Malloy, Hutto, McGill, Sheheen, Lourie, Scott, Pinckney, Reese, Nicholson, Williams, Coleman, Allen, Johnson, McElveen, Gregory, Bennett, Shealy, Thurmond, Bryant, Bright, Campsen, Young, Campbell, Hayes, Turner, Fair, Rankin, Massey and Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SENATOR ROBERT FORD OF CHARLESTON COUNTY, UPON THE OCCASION OF THE FIFTIETH ANNIVERSARY OF THE CIVIL RIGHTS MOVEMENT, AND TO EXPRESS PROFOUND GRATITUDE TO HIM FOR HIS MORE THAN FIFTY YEARS OF DEDICATED SERVICE DURING THAT STRUGGLE AND FOR HIS CONTINUED EFFORTS TO BRING ABOUT RACIAL HEALING.

Whereas, it is only fitting that the members of the South Carolina General Assembly pause in their deliberations to commend their colleague, Senator Robert Ford, representing District 42, for his consistent devotion to the struggle for civil rights; and

Whereas, born in New Orleans, Louisiana, on December 26, 1948, Robert Ford attended Grambling State University in Grambling, Louisiana, on an athletic scholarship and Wayne State University in Detroit, Michigan; and

Whereas, he began a career as a civil rights activist at the age of thirteen, serving as a student leader in the New Orleans branch of the NAACP; and

Whereas, as a teenager, he traveled to Alabama where he worked on voter registration with the Southern Christian Leadership Conference (SCLC), and he worked for the late Reverend Dr. Martin Luther King, Jr., in the SCLC, under the guidance of the late Reverends James E. Orange and James L. Bevel, both aides to Dr. King; and

Whereas, he helped to organize the Louisiana Caravan to Washington, D.C., for the March on Washington for Jobs and Freedom in 1963 and attended the event where Dr. King delivered his famous “I Have a Dream” speech; and

Whereas, having traveled to Memphis, Tennessee, to support striking sanitation workers as part of an SCLC advance team for Dr. King’s Poor People’s Campaign, nineteen‑year‑old Ford was in Memphis, on the fateful day of April 4, 1968, when Dr. King was assassinated; and

Whereas, as a result of his work in civil and human rights, young Robert Ford, was arrested seventy‑three times in seventeen states between 1962 and 1973; and

Whereas, six years after the death of Dr. King, Robert Ford’s efforts prompted the United States Justice Department to bar Charleston from annexing, an effort to dilute black voting strength, which led to the election of six black Charleston City Council members, including Robert Ford. He served there from 1974 until 1992 and has served in South Carolina’s Senate since 1993; and

Whereas, to mark the struggles and the successes of the past fifty years and to commemorate the 50th Anniversary of the Civil Rights Movement, seven cities will launch a series of events to focus on the stories of individuals for the benefit of a new generation. The cities organizing and collaborating on the events include Birmingham, Selma, and Montgomery, Alabama; Jackson, Mississippi; Memphis, Tennessee; Columbia, South Carolina; and Washington, D. C.; and

Whereas, the members of the General Assembly of the State of South Carolina are grateful for the outstanding efforts of Senator Robert Ford in the struggle for racial equality and civil rights, spanning more than a half century. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly of the State of South Carolina, by this resolution, recognize and honor Senator Robert Ford of Charleston County, upon the occasion of the fiftieth anniversary of the Civil Rights Movement, and express profound gratitude to him for his more than fifty years of dedicated service during that struggle and for his continued efforts to bring about racial healing.

Be it further resolved that a copy of this resolution be forwarded to Senator Robert Ford.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3584 -- Reps. Putnam, Nanney and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 1 SO AS TO ENACT THE "PERSONHOOD ACT OF SOUTH CAROLINA" WHICH ESTABLISHES THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION, AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY SECTION 3, ARTICLE I OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN PERSON.

Referred to Committee on Judiciary

H. 3586 -- Rep. George: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE MULLINS NATIONAL GUARD ARMORY TO THE CITY OF MULLINS.

On motion of Rep. GEORGE, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 3589 -- Reps. Whipper, Bales, Gilliard, Hosey, Mitchell, King, M. S. McLeod, Clyburn, Dillard, Hodges, Mack, Powers Norrell, Ridgeway and Robinson-Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE PENALTIES FOR A PERSON CONVICTED OF A CRIME CONTAINED IN THIS CHAPTER WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN A PERSON BECAUSE OF HIS RACE, RELIGION, COLOR, SEX, AGE, NATIONAL ORIGIN, OR SEXUAL ORIENTATION; AND TO AMEND SECTIONS 16-11-510 AND 16-11-520, BOTH AS AMENDED, RELATING TO MALICIOUS INJURY TO PERSONAL AND REAL PROPERTY, RESPECTIVELY, SO AS TO REVISE THE PENALTIES FOR MALICIOUS INJURY TO REAL PROPERTY OFFENSES AND TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO MALICIOUSLY INJURE PERSONAL OR REAL PROPERTY OF ANOTHER PERSON WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN THAT PERSON.

Referred to Committee on Judiciary

H. 3590 -- Reps. H. A. Crawford, Goldfinch, Hardwick, Kennedy, Hardee, Southard, Clemmons and Gagnon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-12-550 SO AS TO AUTHORIZE EACH COUNTY GOVERNMENT TO DETERMINE ITS DEMAND MARKET AREA AND FOR NOTICE OF ITS DETERMINATION TO BE SENT TO THE NIELSON COMPANY, THE FEDERAL COMMUNICATIONS COMMISSION, AND ITS LEGISLATIVE DELEGATION; TO AMEND SECTION 4-9-30, AS AMENDED, RELATING TO THE DESIGNATION OF POWERS UNDER EACH ALTERNATIVE FORM OF GOVERNMENT, SO AS TO ADD DETERMINATION OF A DEMAND MARKET AREA TO THE LIST OF ENUMERATED POWERS FOR COUNTY GOVERNMENT; AND TO AMEND SECTION 4-9-1030, RELATING TO THE DUTIES OF THE COUNTY GOVERNING BODY, SO AS TO ADD DETERMINATION OF A DEMAND MARKET AREA TO THE LIST OF DUTIES OF A COUNTY BOARD OF COMMISSIONERS.

Referred to Committee on Judiciary

H. 3591 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-57-135 SO AS TO ENACT THE "CERTIFICATE OF INSURANCE ACT", TO PROVIDE RELATED DEFINITIONS, TO PROVIDE FOR THE USE, LIMITATIONS, AND OTHER REQUIREMENTS OF A CERTIFICATE OF INSURANCE, TO PROVIDE FOR THE APPLICABILITY OF THE ACT, AND TO PROVIDE ENFORCEMENT AND PENALTIES FOR VIOLATIONS; AND TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING INSURANCE, SO AS TO REDEFINE "CERTIFICATE OF INSURANCE".

Referred to Committee on Labor, Commerce and Industry

H. 3592 -- Reps. Sandifer and Loftis: A BILL TO AMEND ARTICLE 8, CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007", SO AS TO DELETE CERTAIN DEFINITIONS, TO CHANGE CERTIFICATION STANDARDS WITH WHICH MAJOR FACILITY PROJECTS MUST COMPLY, TO ELIMINATE REFERENCE TO THE LEED AND GREEN GLOBES CERTIFICATION RATING SYSTEMS, AND TO MAKE TECHNICAL CORRECTIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3593 -- Reps. Thayer, Gagnon, Erickson, Douglas, Hardee, Henderson, Putnam, Ridgeway and Whitmire: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO ELIGIBILITY TO HOLD ELECTIVE OFFICE, SO AS TO PROVIDE THAT A PERSON MAY NOT SIMULTANEOUSLY OFFER FOR MORE THAN ONE STATE OR LOCAL ELECTIVE OFFICE IN THE SAME PRIMARY, SPECIAL PRIMARY, RUNOFF, OR GENERAL OR SPECIAL ELECTION.

Referred to Committee on Judiciary

H. 3594 -- Rep. Herbkersman: A BILL TO AMEND SECTION 56-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF PERMITTED AND REGISTERED GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT A GOLF CART EQUIPPED WITH HEADLIGHTS AND REAR LIGHTS MAY BE OPERATED AT NIGHT.

Referred to Committee on Education and Public Works

H. 3595 -- Rep. Herbkersman: A BILL TO AMEND CHAPTER 1, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING SECTION 15-1-350 SO AS TO PROVIDE THAT IF AN APARTMENT IS CONVERTED INTO A CONDOMINIUM, THE PROTECTIONS AND WARRANTIES GRANTED TO A PURCHASER OF A RESIDENTIAL PROPERTY IS EXTENDED TO THE PURCHASER OF A CONVERTED APARTMENT, AND TO PROVIDE THAT THIS ACT DOES NOT AFFECT ANY PENDING ACTION.

Referred to Committee on Judiciary

H. 3596 -- Rep. Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 57-5-90 RELATING TO THE ESTABLISHMENT OF BELT LINES AND SPURS.

Referred to Committee on Education and Public Works

S. 12 -- Senators O'Dell and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-10-108 SO AS TO PROVIDE A CLIENT COMPANY THAT CONTRACTS WITH A PROFESSIONAL SERVICE EMPLOYER AND IS ASSIGNED EMPLOYEES UNDER THAT CONTRACT, IS ELIGIBLE FOR THE JOB DEVELOPMENT CREDIT, TO SPECIFY THE CONDITIONS UNDER WHICH THE JOB DEVELOPMENT CREDIT MAY BE CLAIMED, AND TO PROVIDE THE PROCESS BY WHICH THE CLIENT COMPANY MAY CLAIM THE CREDIT AND THE PROCESS BY WHICH THE DEPARTMENT OF REVENUE SHALL ADMINISTER THE CREDIT WITH RESPECT TO A CLIENT COMPANY; AND BY ADDING SECTION 40-68-145 SO AS TO PROVIDE THAT FOR PURPOSES OF DETERMINING AN INCENTIVE OR BUSINESS PREFERENCE PROGRAM BASED ON EMPLOYMENT, AN ASSIGNED EMPLOYEE IS CONSIDERED AN EMPLOYEE OF THE CLIENT COMPANY.

Referred to Committee on Labor, Commerce and Industry

S. 118 -- Senators Hayes and Ford: A BILL TO AMEND SECTION 12-37-2725, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANCELLATION OF A LICENSE PLATE AND REGISTRATION CERTIFICATE WHEN A VEHICLE OWNER MOVES OUT OF STATE AND THE PRORATED PROPERTY TAX REFUND DUE ON THAT CANCELLATION, SO AS TO ALLOW THE APPROPRIATE RECEIPT ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES TO SUBSTITUTE FOR THE ACTUAL LICENSE PLATE AND CERTIFICATE; TO AMEND SECTION 12-39-220, RELATING TO THE DISCOVERY OF UNTAXED PROPERTY FOR PURPOSES OF PROPERTY TAXES, SO AS TO PROVIDE THE DUTIES OF THE ASSESSOR WITH RESPECT TO THIS PROPERTY; AND TO AMEND SECTION 12-54-85, AS AMENDED, RELATING TO THE TIME LIMITS APPLICABLE FOR ASSESSING DELINQUENT TAXES, SO AS TO MAKE A CONFORMING AMENDMENT.

Referred to Committee on Ways and Means

S. 213 -- Senators Cleary, Davis, L. Martin, Peeler, Williams, Campbell, Cromer, Rankin, Shealy, Alexander, Gregory, Bryant, Bennett, Nicholson, Johnson, Setzler, Ford and Campsen: A BILL TO AMEND TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57, SO AS TO AUTHORIZE QUALIFIED NONPROFIT ORGANIZATIONS TO OPERATE AND CONDUCT RAFFLES THROUGH REGISTRATION WITH THE SOUTH CAROLINA SECRETARY OF STATE, TO PROVIDE STANDARDS FOR THESE EVENTS, TO REQUIRE PROCEEDS TO BE USED FOR CHARITABLE PURPOSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Referred to Committee on Judiciary

S. 239 -- Senators Cleary, Davis, L. Martin, Campbell, Cromer, Setzler, Ford and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, PROVIDE PENALTIES FOR VIOLATIONS, AND PROVIDE FOR ANY OTHER LAW NECESSARY TO ENSURE THE PROPER

FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

Referred to Committee on Judiciary

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Felder |
| Finlay | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, February 21.

|  |  |
| --- | --- |
| Beth Bernstein | Shannon Erickson |
| Chris Hart | M.S. McLeod |
| Richard "Rick" Quinn | Bakari Sellers |
| Jerry Govan | Ted Vick |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KNIGHT a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. THAYER a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. FORRESTER a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOVAN a temporary leave of absence.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. VICK a temporary leave of absence.

STATEMENT FOR THE JOURNAL

I was temporarily absent from the Chamber attending a Veteran’s meeting in Richland County.

Rep. Ted Vick

**STATEMENT OF ATTENDANCE**

Rep. SKELTON signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, February 20.

**SPECIAL PRESENTATION**

Reps. BALLENTINE, HUGGINS and W. J. MCLEOD presented to the House the Chapin High School Marching Band, the 2012 AAA Champions, their directors and other school officials.

**SPECIAL PRESENTATION**

Rep. CLYBURN presented to the House the Strom Thurmond High School Marching Band, the 2012 South Carolina Band Directors Association Class AA Champions, their director and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co‑sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co‑sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member’s or co‑sponsor’s written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3053 |
| Date: | ADD: |
| 02/21/13 | PATRICK, HERBKERSMAN, NEWTON and ERICKSON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3057 |
| Date: | ADD: |
| 02/21/13 | JEFFERSON and WILLIAMS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3116 |
| Date: | ADD: |
| 02/21/13 | HERBKERSMAN and NEWTON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3184 |
| Date: | ADD: |
| 02/21/13 | MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3298 |
| Date: | ADD: |
| 02/21/13 | BALES, LOFTIS and KENNEDY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3357 |
| Date: | ADD: |
| 02/21/13 | GILLIARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3491 |
| Date: | ADD: |
| 02/21/13 | D. C. MOSS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3491 |
| Date: | ADD: |
| 02/21/13 | ERICKSON and HERBKERSMAN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3584 |
| Date: | ADD: |
| 02/21/13 | WOOD |

**S. 368--COMMITTED**

The following Bill was taken up:

S. 368 -- Senator Coleman: A BILL TO ESTABLISH THE FAIRFIELD COUNTY BOARD OF VETERANS AFFAIRS, TO DEFINE THE BOARD'S TERMS, POWERS, DUTIES, AND RESPONSIBILITIES, AND TO PROVIDE AN ALTERNATIVE METHOD OF APPOINTING AND REMOVING THE FAIRFIELD COUNTY VETERANS AFFAIRS OFFICER.

Rep. DOUGLAS moved to commit the Bill to the Committee on Fairfield Delegation, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**S. 244--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 244 -- Senators McGill, Cleary and Campsen: A BILL TO REPEAL SECTION 50-11-940 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF CERTAIN PROPERTY OF THE BELLE W. BARUCH FOUNDATION IN GEORGETOWN COUNTY AS A BIRD AND GAME REFUGE, AND TO REPEAL SECTION 50-11-941, REQUIRING SECTION 50-11-940 TO NOT BE CONSTRUED IN CONFLICT WITH THE LAST WILL AND TESTAMENT OF BELLE W. BARUCH.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| Brannon | G. A. Brown | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Funderburk | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Hayes | Henderson | Horne |
| Jefferson | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Newton | Norman |
| Owens | Parks | Patrick |
| Powers Norrell | Putnam | Ridgeway |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Stringer | Tallon | Taylor |
| Weeks | Whitmire | Williams |
| Willis | Wood |  |

**Total--83**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 244. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

**S. 244--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. GOLDFINCH, with unanimous consent, it was ordered that S. 244 be read the third time tomorrow.

**S. 379--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 379 -- Senator Sheheen: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE KERSHAW COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES SHALL BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2014, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

The yeas and nays were taken resulting as follows:

Yeas 79; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Barfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | G. A. Brown |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Funderburk | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Hayes | Henderson |
| Hiott | Horne | Kennedy |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Weeks | Whitmire |
| Willis |  |  |

**Total--79**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 379--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FUNDERBURK, with unanimous consent, it was ordered that S. 379 be read the third time tomorrow.

**SENT TO THE SENATE**

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 3459 -- Reps. Sandifer, Bales, J. E. Smith and Erickson: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40-2-30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND TO AMEND SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS; AND TO AMEND SECTION 40-2-80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

**S. 165--ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and it they be enrolled for ratification:

S. 165 -- Senators Campsen and Grooms: A BILL TO AMEND SECTION 50-15-65 OF THE 1976 CODE, RELATING TO MANAGEMENT AND CONTROL OF ALLIGATORS ON PRIVATE LAND, TO PROVIDE FOR A HUNTING SEASON OF ALLIGATORS ON PRIVATE LAND FROM SEPTEMBER FIRST THROUGH MAY THIRTY-FIRST.

**H. 3057--DEBATE ADJOURNED**

Rep. QUINN moved to adjourn debate upon the following Bill until Tuesday, February 26, which was adopted:

H. 3057 -- Reps. Rutherford, Bales, Jefferson and Williams: A BILL TO AMEND SECTION 17-22-50, AS AMENDED, AND SECTION 17-22-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY NOT BE CONSIDERED FOR PARTICIPATION IN A PRETRIAL INTERVENTION PROGRAM AND PROGRAM ELIGIBILITY, RESPECTIVELY, BOTH SO AS TO ALLOW A PERSON TO PARTICIPATE IN A PROGRAM MORE THAN ONCE WITH THE SOLICITOR'S CONSENT.

**H. 3184--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3184 -- Reps. Pope, R. L. Brown, M. S. McLeod, Weeks, Bales, Gilliard, Whipper, W. J. McLeod and Mitchell: A BILL TO AMEND SECTION 22-5-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A PERSON MAY BE ELIGIBLE FOR EXPUNGEMENT OF A FIRST OFFENSE CRIME WHICH CARRIES A FINE OF ONE THOUSAND DOLLARS RATHER THAN FIVE HUNDRED DOLLARS.

Rep. RUTHERFORD proposed the following Amendment No. 1 to H. 3184 (COUNCIL\MS\3184C003.MS.AHB13), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION at the end to read:

/SECTION \_\_. Section 17-1-40 (A) of the 1976 Code is amended to read:

“(A) (1)~~A~~ If a person ~~who after being~~ is charged with a criminal offense and the charge is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency. Provided, however, that local and state detention and correctional facilities may retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years from the date of the expungement order to manage their statistical and professional information needs and, ~~where~~ when necessary, to defend ~~such~~ the facilities during litigation proceedings except when an action, complaint, or inquiry has been initiated. Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued is not a public document and is exempt from disclosure. ~~Such~~ This information only may be disclosed by judicial order, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings. A person who otherwise intentionally retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed pursuant to this section is guilty of contempt of court.

(2) If a person pleads guilty to a lesser-included offense and the solicitor deems it appropriate, the solicitor shall notify the state law enforcement division (SLED) and SLED shall ensure the person’s record contained in the ncic database or other similar database reflects the lesser-included offense rather than the offense originally charged.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

Rep. RUTHERFORD moved to reconsider the vote whereby Amendment 1 was adopted, which was agreed to.

Rep. RUTHERFORD proposed the following Amendment No. 1 to H. 3184 (COUNCIL\MS\3184C003.MS.AHB13), which was reconsidered and tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION at the end to read:

/SECTION \_\_. Section 17-1-40 (A) of the 1976 Code is amended to read:

“(A) (1)~~A~~ If a person ~~who after being~~ is charged with a criminal offense and the charge is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency. Provided, however, that local and state detention and correctional facilities may retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years from the date of the expungement order to manage their statistical and professional information needs and, ~~where~~ when necessary, to defend ~~such~~ the facilities during litigation proceedings except when an action, complaint, or inquiry has been initiated. Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued is not a public document and is exempt from disclosure. ~~Such~~ This information only may be disclosed by judicial order, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings. A person who otherwise intentionally retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed pursuant to this section is guilty of contempt of court.

(2) If a person pleads guilty to a lesser-included offense and the solicitor deems it appropriate, the solicitor shall notify the state law enforcement division (SLED) and SLED shall ensure the person’s record contained in the ncic database or other similar database reflects the lesser-included offense rather than the offense originally charged.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD moved to table the amendment, which was agreed to.

Rep. RUTHERFORD proposed the following Amendment No. 2 to H. 3184 (COUNCIL\MS\3184C006.MS.AHB13), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 22‑5‑910 of the 1976 Code, as last amended by Act 36 of 2009, is further amended to read:

“Section 22‑5‑910. (A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of ~~five hundred~~ one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction. However, this section does not apply to:

(1) an offense involving the operation of a motor vehicle;

(2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized; or

(3) an offense contained in Chapter 25, Title 16, except first offense criminal domestic violence as contained in Section 16‑25‑20, which may be expunged five years from the date of the conviction.

(B) If the defendant has had no other conviction during the three‑year period, or during the five‑year period as provided in subsection (A)(3), following the first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of not more than ~~five hundred~~ one thousand dollars, or both, including a conviction in magistrates or general sessions court, the circuit court may issue an order expunging the records. No person may have his records expunged under this section more than once. A person may have his record expunged even though the conviction occurred prior to June 1, 1992.

(C) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release ~~under~~ pursuant to Section 34‑11‑95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(D) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

Rep. G. M. SMITH proposed the following Amendment No. 3 to H. 3184 (COUNCIL\MS\3184C002.MS.AHB13), which was adopted:

Amend the bill, as and if amended, Section 17-1-40(A), by adding an appropriately numbered item at the end to read:

/ ( ) If a person has been issued a courtesy summons pursuant to section 22-3-330 or another provision of law and the charge for which the courtesy summons was issued is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency in accordance with the provisions of item (1).

In addition, a person who violates the provisions of this item is subject to the same penalty as provided in item (1).” /

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowers | Branham | Brannon |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Finlay | Funderburk | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | Kennedy |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--104**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3184--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. WEEKS, with unanimous consent, it was ordered that H. 3184 be read the third time tomorrow.

**H. 3501--REQUESTS FOR DEBATE**

The following Joint Resolution was taken up:

H. 3501 -- Reps. White, Simrill, Merrill, Limehouse, J. R. Smith, Bingham and Pitts: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEARS 2013-2014 AND 2014-2015, AND TO PROVIDE THAT FOR THOSE FISCAL YEARS COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

Reps. WHITE, COBB-HUNTER, SKELTON, HIOTT, NANNEY, ANDERSON, J. E. SMITH, OTT, WILLIAMS, JEFFERSON, MUNNERLYN, GEORGE, HAYES, GAMBRELL, EDGE, ERICKSON, LONG, ANTHONY, NEWTON, BALES, SOUTHARD, MCEACHERN, HOSEY, SOTTILE, DOUGLAS, FUNDERBURK, HERBKERSMAN, MERRILL, DANING, BOWERS, BRANHAM, R. L. BROWN, GOLDFINCH, RYHAL, HART, POPE, KENNEDY, V. S. MOSS, ROBINSON-SIMPSON, DILLARD, KING, BEDINGFIELD and G. R. SMITH requested debate on the Bill.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the remainder of the day.

**H. 3412--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3412 -- Reps. Harrell, Lucas, Clemmons, Herbkersman, Loftis, Barfield, Huggins, Bowen, K. R. Crawford, Allison, Merrill, Ballentine, McCoy, Wood, Erickson, Putnam, Bannister, Branham, Taylor, Limehouse, Southard, Atwater, Bingham, Brannon, Chumley, Cole, Crosby, Daning, Delleney, Gagnon, Gambrell, Goldfinch, Henderson, Hiott, Hixon, Kennedy, Lowe, D. C. Moss, V. S. Moss, Murphy, Newton, Owens, Patrick, Pitts, Pope, Rivers, Ryhal, Sandifer, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stringer, Tallon, Thayer, Toole, White, Whitmire and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON-FEDERAL AID HIGHWAY FUND, AND TO PROVIDE FOR THE USE OF THESE REVENUES.

Reps. WHITE, COBB-HUNTER, OTT, J. E. SMITH, MCEACHERN, W. J. MCLEOD, WILLIAMS, JEFFERSON, SABB, CROSBY, PITTS, R. L. BROWN, ANDERSON, WHIPPER, NANNEY, HENDERSON, STRINGER, CLEMMONS, BEDINGFIELD, G. R. SMITH, V. S. MOSS, LOFTIS, DOUGLAS, BALES and J. R. SMITH requested debate on the Bill.

**H. 3378--POINT OF ORDER**

The following Bill was taken up:

H. 3378 -- Reps. Sandifer, Whitmire and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-90 SO AS TO ENACT THE "VOLUNTEER SERVICE PERSONNEL APPRECIATION ACT" AND TO ALLOW THE GOVERNING BODY OF A LOCAL GOVERNMENT TO AUTHORIZE THE DISTRIBUTION OF CERTAIN REWARDS TO THREE ENUMERATED CATEGORIES OF VOLUNTEER SERVICE PERSONNEL SO LONG AS ALL PERSONNEL IN A RESPECTIVE CATEGORY ARE TREATED EQUALLY.

**POINT OF ORDER**

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3574--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 3574 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Joint Resolution was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3011--POINT OF ORDER**

The following Bill was taken up:

H. 3011 -- Reps. Whitmire, Long, Gilliard and Williams: A BILL TO AMEND SECTION 53-3-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PURPLE HEART DAY IN SOUTH CAROLINA, SO AS TO MOVE THE DAY FROM THE THIRD SATURDAY IN FEBRUARY TO THE SEVENTH DAY OF AUGUST IN ORDER TO COINCIDE WITH THE DATE GENERAL GEORGE WASHINGTON ORIGINALLY AUTHORIZED THE AWARD.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3161--POINT OF ORDER**

The following Bill was taken up:

H. 3161 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40-43-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-43-86, RELATING TO COMPOUNDING PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PRODUCT COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND-USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40-43-88, RELATING TO THE HANDLING OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3356--POINT OF ORDER**

The following Bill was taken up:

H. 3356 -- Reps. Williams, J. E. Smith, Dillard, Robinson-Simpson and Wood: A BILL TO AMEND SECTION 25-1-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3411--POINT OF ORDER**

The following Bill was taken up:

H. 3411 -- Reps. R. L. Brown, G. A. Brown, Cobb-Hunter, Mitchell, Neal, Weeks, Whipper and Williams: A BILL TO AMEND SECTION 40-7-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "HAIR BRAIDING" ASSOCIATED WITH THE LICENSURE AND REGULATION OF BARBERS, SO AS TO PERMIT THE USE OF HAIR EXTENSIONS IN HAIR BRAIDING, EXCEPT IN PUBLIC PLACES.

**POINT OF ORDER**

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**S. 91--ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title of

each be changed to that of an Act, and that they be enrolled for ratification:

S. 91 -- Senator Gregory: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING AND TAKING OF ANTLERED DEER, SO AS TO DELETE A PROHIBITION ON BAITING DEER IN GAME ZONES 1 AND 2.

**S. 91--MOTION TO RECONSIDER TABLED**

Rep. HIXON moved to reconsider the vote whereby the following Bill was read third time and enrolled for ratification:

S. 91 -- Senator Gregory: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING AND TAKING OF ANTLERED DEER, SO AS TO DELETE A PROHIBITION ON BAITING DEER IN GAME ZONES 1 AND 2.

Rep. HIXON moved to table the motion to reconsider, which was agreed to.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. HIXON.

**SPEAKER IN CHAIR**

**H. 3298--AMENDED AND DEBATE ADJOURNED**

The following Bill was taken up:

H. 3298 -- Reps. Lucas, Delleney, Ballentine, Brannon, Clemmons, Hixon, Huggins, Long, McCoy, Murphy, Nanney, Pitts, Sottile, Thayer, Harrell, Bales, Loftis and Kennedy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-46 SO AS TO IMPOSE REQUIREMENTS REGARDING THE ACKNOWLEDGMENT OF STATEMENTS OF CANDIDACY AND PUBLICATION OF FILING PERIODS; BY ADDING SECTION 8-13-1115 SO AS TO REQUIRE STATEMENTS OF ECONOMIC INTERESTS TO BE FILED ONLINE NO LATER THAN APRIL FIFTEENTH FOR ALL CANDIDATES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO DELETE REFERENCES TO POLITICAL PARTY CONVENTION; TO AMEND SECTION 7-11-15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN A GENERAL ELECTION, SO AS TO REVISE THE PROCEDURES FOR FILING STATEMENTS OF INTENTION OF CANDIDACY TO BE FILED WITH THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-11-210, AS AMENDED, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REVISE THE PROCEDURES FOR NOTICE SUBMISSIONS, CANDIDATE SIGNATURES, AND OFFICER ACKNOWLEDGMENTS; TO AMEND SECTION 7-13-40, AS AMENDED, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO REVISE THE PROCEDURES FOR CERTIFYING AND COMPILING THE NAMES OF CANDIDATES TO BE PLACED ON PRIMARY BALLOTS; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 8-13-365, AS AMENDED, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO PROVIDE THAT A DISCLOSURE FORM FILED PURSUANT TO THIS SECTION IS DEEMED TO SATISFY ANY OTHER FILING REQUIREMENT MANDATED BY LAW; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PERSONS REQUIRED TO FILE STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO FURNISH A WEBSITE ON WHICH ALL STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE AND TO DESIGNATE AN ANNUAL DEADLINE BY WHICH STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE; TO REPEAL SECTION 7-11-30, RELATING TO CONVENTION NOMINATION OF CANDIDATES; AND TO REPEAL SECTION 7-11-220, RELATING TO NOTICE OR PLEDGE BY CANDIDATES FOR STATE SENATOR.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3298 (COUNCIL\GGS\3298C001.GGS.ZW13), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑46. (A) In every general election year the county board of registration and elections shall:

(1) designate a specified place, other than a private residence, where a person may file as a candidate;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which some person authorized by law must be present at the designated place to accept filings; and

(3) place an advertisement to appear two weeks before the filing period begins in a newspaper of general circulation in the county at least five by seven inches in size that notifies the public of the dates of the filing periods, the location and hours for signing the statement of intention of candidacy and the notice of candidacy and pledge set by the party executive committees, the offices which may be filed for, the place and street address where filings must be turned in to the county board of registration and elections, and the hours that an authorized person will be present to receive filings, paid for at the rates prescribed by law for legal notices.

(B) In every general election year the county party chairman shall:

(1) designate a specified place, other than a private residence, where a person may have the statement of intention of candidacy and notice of candidacy and pledge signed by an appropriate party official;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which an officer of the party must be present at the designated place to sign the statements of candidacy and the notices of candidacy and pledge; and

(3) inform the county board of registration and elections of the locations and hours where they will make available the statement of intention of candidacy and notice of candidacy and pledge for acknowledgement for publication.”

SECTION 2. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. Notwithstanding another provision of law, individual counties may, by ordinance, alter the number of members serving on their board of registration and elections.”

SECTION 3. Article 11, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1115. (A) All candidates for public office, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.

(B) An individual, who becomes a candidate other than by filing, must file a statement of economic interests online with the State Ethics Commission no later than April fifteenth of each election year, or fifteen days after becoming a candidate, whichever comes last.”

SECTION 4. Section 7‑11‑10 of the 1976 Code, as last amended by Act 419 of 1982, is further amended to read:

“Section 7‑11‑10. Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; ~~provided~~ however, ~~no~~ a person who was defeated as a candidate for nomination to an office in a party primary or party convention shall not have his name placed on the ballot for the ensuing general or special election, except that this proviso shall not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for ~~such~~ that office before the election is held.”

SECTION 5. Section 7‑11‑15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~ (A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the state party executive committee;

(2) obtain the signature of the appropriate state party official on the statement of intention of candidacy and on the notice of candidacy and pledge;

(3) surrender the signed notice of candidacy and pledge to the appropriate state party official;

(4) obtain the signature of the appropriate South Carolina Election Commission official on the statement of intention of candidacy; and

(5) file the signed statement of intention of candidacy with the South Carolina Election Commission along with the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the State Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the county party executive committee in the county in which they reside;

(2) obtain the signature of the appropriate county party official on the statement of intention of candidacy and on the notice of candidacy and pledge;

(3) surrender the signed notice of candidacy and pledge to the appropriate county party official;

(4) obtain the signature of the appropriate county board of registration and elections official in the county in which the candidate resides on the statement of intention of candidacy; and

(5) file the signed of statement intention of candidacy with the county board of registration and elections in the county in which the candidate resides, along with the filing fee for office pursuant to this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the county party executive committee;

(2) obtain the signature of the appropriate county party official on the statement of intention of candidacy and on the notice of candidacy and pledge;

(3) surrender the signed notice of candidacy and pledge to the appropriate county party official;

(4) obtain the signature of the appropriate county board of registration and elections official in the county on the statement of intention of candidacy; and

(5) file the signed statement of intention of candidacy with the county board of registration and elections, along with the filing fee for office pursuant to this section.

(E) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the South Carolina Election Commission.

(F) The county board of registration and elections or the South Carolina Election Commission, where appropriate, must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(G) No candidate’s name may appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy and filing fee has not been filed with the county board of registration and elections or State Election Commission, as the case may be, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.

(H) Copies of the filing documents showing the time and date filed, the candidates signature, and the signature of acknowledging party official and election official must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(I) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

(J) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be obtained from the county executive committee of a political party and must be filed in duplicate by the candidate. The form must be obtained from the designated official of the county executive committee who will verify the signature of the candidate and affix his own signature, accepting this candidate for nomination by the party. The political party committee with which it is filed must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate, who will then take his form, and other filing documents to his respective election commission.

(K) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.

(L) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.”

SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7‑11‑30. If a party nominates candidates by conventions, the state convention shall nominate the party’s candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party’s candidates for all county offices. ~~No~~A convention shall not make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention~~, except the office of state Senator and of member of the House of Representatives. The nomination of the party’s candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee~~. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. ~~No~~A convention shall not make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks’ published notices of the calls. ~~Any~~A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 7. Section 7‑11‑210 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑11‑210. Every candidate for selection as a nominee of ~~any~~a political party for ~~any~~a state office, United States Senator, member of Congress, or solicitor, to be voted for in ~~any~~a party primary election or political party convention, shall file with and place in the possession of the ~~treasurer of the~~ state committee of their respective party from which they receive their statement of intention of candidacy by twelve o’clock noon on March thirtieth a notice or pledge in the following form, the blanks being properly filled in and the notice or pledge signed by the candidate and by the appropriate filing official: “I hereby file my notice as a candidate for the nomination as \_\_\_\_\_\_\_\_\_\_ in the primary election or convention to be held on \_\_\_\_\_\_\_\_\_\_. I affiliate with the \_\_\_\_\_\_\_\_\_\_ Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write‑in candidate for this office or any other office for which the party has a nominee. I authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election. I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office”.

Every candidate for selection in a primary election as the nominee of ~~any~~a political party for member of the Senate, member of the House of Representatives, and all county and township offices shall file with and place in the possession of the county ~~chairman or other officer as may be named by the county committee of the county in which they reside~~ committee of their respective party from which they receive their statement of intention of candidacy of the county in which they reside by twelve o’clock noon on March thirtieth a like notice and pledge.

~~The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be signed in the presence of the county chairman or other officer as may be named by the county committee with whom the candidate is filing, or a candidate must have his signature on the notice of the candidacy acknowledged and certified by any officer authorized to administer an oath. Any notice of candidacy of any candidate signed by an agent in behalf of a candidate shall not be valid.~~ The notice of candidacy required by this section to be filed by a candidate in a primary must be signed personally by the candidate, and the signature of the candidate must be acknowledged by the county chairman or other officer as may be named by the county committee with whom the candidate is filing or by state party official with which the candidate is filing, either of whom shall also sign the notice of candidacy form. A notice of candidacy of any candidate signed by an agent on behalf of a candidate shall not be valid.

~~In the event that a person who was defeated as a candidate for nomination to an office in a party’s primary election shall thereafter offer or campaign as a candidate against any nominee for election to any office in the ensuing general election, the state chairman of the party which held the primary (if the office involved is one voted for in the general election by the electors of more than one county), or the county chairman of the party which held the primary (in the case of all other offices), shall forthwith institute an action in a court of competent jurisdiction for an order enjoining the person from so offering or campaigning in the general election, and the court is hereby empowered upon proof of these facts to issue an order.~~”

SECTION 8. Section 7‑13‑40 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑40. ~~In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county election commissions on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county election commission, whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April ninth, or if April ninth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. Political parties must not accept the filing of any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate desires to file, and such candidate’s name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.~~ In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county board of registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be compiled by the State Election Commission and forwarded to the respective state executive committees, not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. The respective state committees must certify the list of candidates received from the State Executive Committee, with a written statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed, within five days of receipt to the South Carolina Election Commission.”

SECTION 9. Section 7‑27‑110 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑110. ~~Those counties that do not have combined boards of registration and election commissions must have their members appointed and powers of their boards and commissions as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) All counties of this State must have a single board of registration and elections whose membership is established in this chapter and whose members are appointed in accordance with this chapter.

(B) Notwithstanding the provisions of subsection (A), a county by affirmative vote of its county council may choose not to combine its existing board of registration and board of elections provided this vote occurs within one calendar year of the effective date of this act. If a county council fails to conduct the vote described in this subsection, then the provisions of subsection (A) shall apply. If a county chooses not to combine its existing boards of registration and elections pursuant to this subsection, the existing Board of Elections must be designated as the appropriate body to receive a statement of intention of candidacy, notice of candidacy and pledge to be filed in that county as required by Title 7.”

SECTION 10. Section 7‑27‑260 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑260. ~~The Cherokee County Election Commission and the Cherokee County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Cherokee County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Cherokee County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Cherokee County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Cherokee County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Cherokee County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Cherokee County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 11. Section 7‑27‑290 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑290. ~~The Dillon County Election Commission and the Dillon County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Dillon County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Dillon County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Dillon County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Dillon County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Dillon County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 12. Section 7‑27‑320 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑320. ~~The Greenville County Election Commission and the Greenville County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Greenville County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenville County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenville County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenville County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenville County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenville County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 13. Section 7‑27‑325 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑325. ~~The Greenwood County Election Commission and the Greenwood County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Greenwood County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Greenwood County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Greenwood County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Greenwood County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Greenwood County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Greenwood County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 14. Section 7‑27‑335 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑335. ~~The Horry County Election Commission and the Horry County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Horry County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Horry County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Horry County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Horry County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Horry County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Horry County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 15. Section 7‑27‑415 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑415. ~~The Spartanburg County Election Commission and the Spartanburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Spartanburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Spartanburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Spartanburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Spartanburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Spartanburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Spartanburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 16. Section 7‑27‑430 of the 1976 Code, as added by Act 312 of 2008, is amended to read:

“Section 7‑27‑430. ~~The Williamsburg County Election Commission and the Williamsburg County Board of Registration must have their members appointed and powers of their board and commission as provided by Sections 7‑5‑10 and 7‑13‑70.~~ (A) There is created the Board of Registration and Elections of Williamsburg County. There are eight members of the board who must be appointed by the Governor upon recommendation of a majority of the Williamsburg County Legislative Delegation, including the senators, who are appointed for terms of four years and until their successors are appointed and qualify. Initially, in order to stagger terms, four members must be appointed for terms of two years. At the expiration of these two‑year terms, successors must be appointed for terms of four years. The board shall elect officers as it considers necessary.

(B) Between the first day of January and the fifteenth day of March of every even‑numbered year, the Governor shall appoint the members of the board.

(C) A vacancy on the board may be filled by appointment in the manner of original appointment for the unexpired term only.

(D) The members of the board staff receive compensation as may be appropriated by the county council.

(E) Staff may be appointed and may be removed by a majority vote of the members of the Williamsburg County Board of Registration and Elections.

(F) The Office of Commissioners of Election and the Registration Board for Williamsburg County are abolished. The powers and duties of the Commissioners of Election and the Registration Board are devolved upon the Board of Registration and Elections of Williamsburg County created in subsection (A).

(G) The eight members of the Board of Registration and Elections of Williamsburg County serving in office on the effective date of this section shall constitute the eight members of the board provided for by this section. Upon the expiration of their current terms, successors must be appointed in the manner provided by law.”

SECTION 17. Section 8‑13‑365 of the 1976 Code, as last amended by Act 190 of 2010, is further amended to read:

“Section 8‑13‑365.(A) The ~~commission~~ State Ethics Commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 from all persons and entities subject to its jurisdiction. These disclosures and reports must be filed using an Internet‑based filing system as prescribed by the ~~commission. Reports and disclosures filed with the Ethics Committees of the Senate and House of Representatives for legislative offices must be in a format such that these filings can be forwarded to the State Ethics Commission using an Internet‑based system.~~ State Ethics Commission, which shall forward these reports to the appropriate supervisory office. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.

(B) ~~The Ethics Commission must submit to the General Assembly a report no later than one year after implementation of subsection (A), concerning the effectiveness of mandatory electronic filing, and must make recommendations as to the implementation of mandatory filing for all other candidates and entities.~~ Notwithstanding another provision of law, a disclosure form filed pursuant to this section must be deemed to satisfy any other filing requirement required by law.”

SECTION 18. Section 8‑13‑1110 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 8‑13‑1110. (A) ~~No public official, regardless of compensation, and no public member, or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office.~~ The State Ethics Commission must furnish the website on which all statements of economic interests must be filed. Except for the reporting of gifts, a candidate who is not an incumbent public official and who must otherwise file a statement of economic interests is subject to the same disclosure requirements as an incumbent public official. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect ~~with the appropriate supervisory office~~. All disclosure statements are matters of public record open to inspection upon request.

(B) ~~Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided~~ All public officials must file a Statement of Economic Interests online with the State Ethics Commission no later than April fifteenth of each calendar year, or fifteen days after being appointed, whichever comes last. This includes elected officials, and the following:

(1) a person appointed to fill the unexpired term of an elective office;

(2) a salaried member of a state board, commission, or agency;

(3) the chief administrative official, or employee, and the deputy or assistant administrative official, or employee, or director of a division, institution, or facility of ~~any~~ an agency or department of state government;

(4) the city administrator, city manager, or chief municipal administrative official, or employee, by whatever title;

(5) the county manager, county administrator, county supervisor, or chief county administrative official, or employee, by whatever title;

(6) the chief administrative official, or employee of each political subdivision including, but not limited to, school districts, libraries, regional planning councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;

(7) a school district and county superintendent of education;

(8) a school district board member and a county board of education member;

(9) the chief finance official, or employee, and the chief purchasing official, or employee, of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in item (6);

(10) a public official;

(11) a public member who serves on a state board, commission, or council; and

(12) Department of Transportation District Engineering Administrators.”

SECTION 19. Section 7‑11‑220 of the 1976 Code is repealed.

SECTION 20. Section 8‑13‑1356 of the 1976 Code is repealed.

SECTION 21. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

Rep. LUCAS spoke in favor of the amendment.

The amendment was then adopted.

Reps. LUCAS, DELLENEY and QUINN proposed the following Amendment No. 2 to H. 3298 (COUNCIL\GGS\3298C004. GGS.ZW13), which was adopted:

Amend the bill, as and if amended, Section 7-13-46(B), as contained in SECTION 1, page 3298-2, lines 6-20, by striking subsection (B) in its entirety and inserting a new subsection (B) to read:

/ (B) In every general election year the county party chairman, or a designee, shall:

(1) designate a specified place, other than a private residence, where a person may have the statement of intention of candidacy and notice of candidacy and pledge signed by an appropriate party official;

(2) establish regular hours of not less than four hours a day during the final seventy‑two hours of the filing period in which an officer of the party must be present at the designated place to sign the statements of candidacy and the notices of candidacy and pledge; and

(3) inform the county board of registration and elections of the locations and hours where they will make available the statement of intention of candidacy and notice of candidacy and pledge for acknowledgement for publication.

(4) Sign any statement of intention of candidacy, notice of candidacy and pledge presented to them by a prospective candidate. /

Amend the bill further, as and if amended, Section 7-11-15, as contained in SECTION 5, beginning on page 3298-3, by deleting Section 5 in its entirety and inserting:

/ SECTION 5. Section 7-11-15 of the 1976 Code, as last amended by Act 3 of 2003, is further amended to read:

“Section 7‑11‑15. ~~In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy between noon on March sixteenth and noon on March thirtieth as provided in this section.~~

~~(1)~~ ~~Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must file their statements of intention of candidacy with the state executive committee of their respective party.~~

~~(2)~~ ~~Candidates seeking nomination for the State Senate or House of Representatives must file their statements of intention of candidacy with the county executive committee of their respective party in the county of their residence. The county committees must, within five days of the receipt of the statements, transmit the statements along with the applicable filing fees to the respective state executive committees. However, the county committees must report all filings to the state committees no later than five p.m. on March thirtieth. The state executive committees must certify candidates pursuant to Section 7‑13‑40.~~

~~(3)~~ ~~Candidates seeking nomination for a countywide or less than countywide office shall file their statements of intention of candidacy with the county executive committee of their respective party.~~

~~Except as provided herein, the county executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all statements of intention of candidacy with the county election commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. The state executive committee of any political party with whom statements of intention of candidacy are filed must file, in turn, all the statements of intention of candidacy with the State Election Commission by noon on the tenth day following the deadline for filing statements by candidates. If the tenth day falls on Saturday, Sunday, or a legal holiday, the statements must be filed by noon the following day. No candidate’s name may appear on a primary election ballot, convention slate of candidates, general election ballot, or special election ballot, except as otherwise provided by law, if (1) the candidate’s statement of intention of candidacy has not been filed with the County Election Commission or State Election Commission, as the case may be, by the deadline and (2) the candidate has not been certified by the appropriate political party as required by Sections 7‑13‑40 and 7‑13‑350, as applicable. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.~~

~~The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. It must be filed in triplicate by the candidate, and the political party committee with whom it is filed must stamp it with the date and time received, sign it, keep one copy, return one copy to the candidate, and send one copy to either the county election commission or the State Election Commission, as the case may be.~~

~~If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, if the nomination is by political party primary or political party convention only may, in its discretion, afford opportunity for the entry of other candidates for the office involved; however, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.~~

~~The provisions of this section do not apply to nonpartisan school trustee elections in any school district where local law provisions provide for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local law provisions control.~~ (A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or convention must file for office between noon on March sixteenth and noon on March thirtieth as provided in this section.

(B) Candidates seeking nomination for a statewide, congressional, or district office that includes more than one county must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the state party executive committee;

(2) obtain the signature of the appropriate state party official on the statement of intention of candidacy and on the notice of candidacy and pledge;

(3) surrender the signed notice of candidacy and pledge to the appropriate state party official;

(4) obtain the signature of the appropriate South Carolina Election Commission official on the statement of intention of candidacy; and

(5) file the signed statement of intention of candidacy with the South Carolina Election Commission along with the filing fee for office as prescribed by this section.

(C) Candidates seeking nomination for the State Senate or House of Representatives must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the county party executive committee in the county in which they reside;

(2) obtain the signature of the appropriate county party official on the statement of intention of candidacy and on the notice of candidacy and pledge;

(3) surrender the signed notice of candidacy and pledge to the appropriate county party official;

(4) obtain the signature of the appropriate county board of registration and elections official in the county in which the candidate resides on the statement of intention of candidacy; and

(5) file the signed of statement intention of candidacy with the county board of registration and elections in the county in which the candidate resides, along with the filing fee for office pursuant to this section.

(D) Candidates seeking nomination for a countywide or less than countywide office must:

(1) complete the statement of intention of candidacy and the notice of candidacy and pledge received from the county party executive committee;

(2) obtain the signature of the appropriate county party official on the statement of intention of candidacy and on the notice of candidacy and pledge;

(3) surrender the signed notice of candidacy and pledge to the appropriate county party official;

(4) obtain the signature of the appropriate county board of registration and elections official in the county on the statement of intention of candidacy; and

(5) file the signed statement of intention of candidacy with the county board of registration and elections, along with the filing fee for office pursuant to this section.

(E) If, for any reason, a candidate is unable to acquire the attestation of an appropriate party official pursuant to this section or the party official does not comply with the requirement to sign a notice of candidacy, pledge or intention of candidacy document, the county board will accept the filing from the candidate without the the signature of a party official.

(F) The county board of registration and elections, within five days of the receipt of the statements, must transmit the statements along with the applicable filing fees to the South Carolina Election Commission.

(G) The county board of registration and elections or the South Carolina Election Commission, where appropriate, must report all candidate statements to the state executive committees no later than five o’clock p.m. on March thirtieth.

(H) No candidate’s name may appear on a primary election ballot, general election ballot, or special election ballot, except as otherwise provided by law, if the candidate’s statement of intention of candidacy and filing fee has not been filed with the county board of registration and elections or State Election Commission, as the case may be, by the deadline. The candidate’s name must appear if the candidate produces the signed and dated copy of his timely filed statement of intention of candidacy.

(I) Copies of the filing documents showing the time and date filed, the candidates signature, and the signature of acknowledging party official and election official must be made available to the public, upon request, no later than the next business day following the last day on which the county board of registration and elections or State Election Commission may receive notice of candidacy.

(J) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

(K) The statement of intention of candidacy required in this section and in Section 7‑13‑190(B) must be on a form designed and provided by the State Election Commission. This form, in addition to all other information, must contain an affirmation that the candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The form must be obtained from the county executive committee of a political party and must be filed in duplicate by the candidate. The form must be obtained from the designated official of the county executive committee who will verify the signature of the candidate and must affix his own signature, accepting this candidate for nomination by the party. The political party committee with which it is filed must stamp it with the date and time received, sign it, keep one copy, and return one copy to the candidate, who will then take his form, and other filing documents to his respective election commission.

(L) If, after the closing of the time for filing statements of intention of candidacy, there are not more than two candidates for any one office and one or more of the candidates dies, or withdraws, the state or county committee, as the case may be, only in its discretion if the nomination is by political party primary, may afford opportunity for the entry of other candidates for the office involved. However, for the office of State House of Representatives or State Senator, the discretion must be exercised by the state committee.

(M) The provisions of this section do not apply to nonpartisan school trustee elections in a school district where local law provides for other dates and procedures for filing statements of candidacy or petitions, and to the extent the provisions of this section and the local law provisions conflict, the local provisions control.” /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

The amendment was then adopted.

Reps. QUINN and DELLENEY proposed the following Amendment No. 3 to H. 3298 (COUNCIL\3298C003.GGS.ZW13KRL), which was adopted:

Amend the bill, as and if amended, Section 7-11-30, as contained in SECTION 6, page 3298-7 through 3298-8, by striking SECTION 6 in its entirety and inserting:

/ SECTION 6. Section 7‑11‑30 of the 1976 Code, as last amended by Act 403 of 1984, is further amended to read:

“Section 7-11-30. ~~If a party nominates candidates by conventions, the state convention shall nominate the party's candidate for Governor, Lieutenant Governor, and all other statewide officers and United States Senators, members of Congress, and circuit solicitors, and the county conventions shall nominate the party's candidates for all county offices. No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three‑fourths vote of the total membership of the convention, except the office of state Senator and of member of the House of Representatives. The nomination of the party's candidates for the office of the state Senator and of member of the House of Representatives must be made in the manner determined by the state committee. If a party determines that nomination for the office of state Senator and of member of the House of Representatives must be by convention, these nominations must be made by the state convention. No convention shall make nominations for one or more offices at the convention and order primaries for other offices to be filled during the same election year. Conventions for political parties not nominating candidates in primaries may be called by state and county committees on other dates than those given in this title for conventions after three weeks' published notices of the calls. Any political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.~~ (A) A party may choose to nominate candidates for all offices, including but not limited to Governor, Lieutenant Governor, United States Senator, members of the United States House of Representatives, circuit solicitor, state Senator, and members of the state House of Representatives if:

(1) there is a three-fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) In no case may a party choose to nominate by party convention for any election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.” /

Renumber sections to conform.

Amend title to conform.

Rep. QUINN explained the amendment.

The amendment was then adopted.

Rep. CLEMMONS proposed the following Amendment No. 4 to H. 3298 (COUNCIL\GGS\3298C005.GGS.ZW13), which was adopted:

Amend the bill, as and if amended, Section 7-11-15(J), as contained in SECTION 5, page 3298-6, by adding a sentence at the end of subsection (J) so that when amended the subsection will read:

/ (J) The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater. The filing fee must be paid by check made to the South Carolina Elections Commission. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

Rep. MERRILL spoke upon the Bill.

Rep. BALES, MERRILL and SKELTON proposed the following Amendment No. 5 to H. 3298 (COUNCIL\GGS\3298C009. GGS.ZW13), which was rejected:

Amend the bill, as and if amended, Section 7‑11‑15(D)(2), (3) and (4), as contained in SECTION 5, beginning on page 3298‑5, by deleting Section 7‑11‑15(D)(2), (3) and (4) in their entirety.

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

Rep. MERRILL moved to adjourn debate on the Bill.

Rep. LUCAS demanded the yeas and nays which were taken, resulting as follows:

Yeas 56; Nays 58

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| Clyburn | Cobb-Hunter | Crosby |
| Daning | Douglas | Edge |
| Funderburk | Gambrell | George |
| Gilliard | Govan | Hart |
| Hayes | Herbkersman | Hiott |
| Hodges | Hosey | Howard |
| Jefferson | King | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| V. S. Moss | Munnerlyn | Neal |
| Ott | Parks | Patrick |
| Powers Norrell | Ridgeway | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Skelton |
| G. M. Smith | J. E. Smith | Stavrinakis |
| Weeks | Whipper |  |

**Total--56**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Delleney | Dillard | Erickson |
| Felder | Finlay | Gagnon |
| Goldfinch | Hamilton | Hardee |
| Harrell | Henderson | Hixon |
| Horne | Huggins | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | Lucas | D. C. Moss |
| Nanney | Newton | Norman |
| Owens | Pitts | Pope |
| Putnam | Quinn | Riley |
| Simrill | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Toole | Wells | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--58**

So, the House refused to adjourn debate.

The question then recurred to the adoption of the amendment.

Rep. BALLENTINE demanded the yeas and nays which were taken, resulting as follows:

Yeas 46; Nays 69

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Crosby | Daning | Dillard |
| Douglas | Edge | Funderburk |
| George | Gilliard | Govan |
| Hart | Hayes | Hosey |
| Howard | Jefferson | King |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | Munnerlyn | Neal |
| Ott | Parks | Powers Norrell |
| Ridgeway | Robinson-Simpson | Rutherford |
| Sabb | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--46**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brannon |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Delleney |
| Erickson | Felder | Finlay |
| Gagnon | Gambrell | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Huggins | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | McCoy | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Owens | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--69**

So, the amendment was rejected.

Rep. J. E. SMITH spoke upon the Bill.

Reps. BALES, MERRILL and SKELTON proposed the following Amendment No. 6 to H. 3298 (COUNCIL\GGS\3298C006. GGS.ZW13), which was rejected:

Amend the bill, as and if amended, Section 7‑11‑15(C)(2), (3) and (4), and Section 7‑11‑15(D)(2), (3) and (4), as contained in SECTION 5, beginning on page 3298‑5, by deleting 7‑11‑15(C)(2), (3) and (4), and Section 7‑11‑15(D)(2), (3) and (4) in their entirety.

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

Rep. CLEMMONS spoke against the amendment.

Rep. OTT spoke in favor of the amendment.

Rep. LUCAS spoke upon the amendment.

Rep. BALLENTINE moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 55; Nays 56

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Delleney |
| Edge | Erickson | Felder |
| Finlay | Gagnon | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Henderson | Hixon |
| Huggins | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Owens | Patrick |
| Pope | Putnam | Rivers |
| Simrill | G. R. Smith | J. R. Smith |
| Sottile | Southard | Stringer |
| Tallon | Taylor | Toole |
| Wells | White | Willis |
| Wood |  |  |

**Total--55**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bales | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| Clyburn | Cobb-Hunter | Crosby |
| Daning | Dillard | Douglas |
| Funderburk | Gambrell | George |
| Gilliard | Hart | Hayes |
| Herbkersman | Hiott | Hodges |
| Hosey | Howard | Jefferson |
| King | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | Munnerlyn | Neal |
| Ott | Parks | Pitts |
| Powers Norrell | Quinn | Ridgeway |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Skelton |
| G. M. Smith | J. E. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whitmire | Williams |  |

**Total--56**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

Rep. CLEMMONS demanded the yeas and nays which were taken, resulting as follows:

Yeas 56; Nays 57

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bales | Bernstein |
| Bowen | Bowers | Branham |
| Brannon | R. L. Brown | Clyburn |
| Cobb-Hunter | K. R. Crawford | Crosby |
| Daning | Dillard | Douglas |
| Edge | Funderburk | Gambrell |
| George | Gilliard | Govan |
| Hart | Hayes | Herbkersman |
| Hiott | Hodges | Hosey |
| Howard | Jefferson | King |
| Lowe | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | Munnerlyn |
| Neal | Ott | Parks |
| Powers Norrell | Ridgeway | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Skelton | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whitmire | Williams |  |

**Total--56**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Chumley | Clemmons |
| Cole | H. A. Crawford | Delleney |
| Erickson | Felder | Finlay |
| Gagnon | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Henderson | Hixon | Huggins |
| Kennedy | Limehouse | Loftis |
| Long | Lucas | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Owens | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Riley | Rivers |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Toole | Wells |
| White | Willis | Wood |

**Total--57**

So, the amendment was rejected.

Rep. J. E. SMITH spoke against the Bill.

Rep. LUCAS moved to adjourn debate on the Bill until Tuesday, February 26, which was agreed to.

**H. 3184--RECONSIDERED UNANIMOUS CONSENT FOR THIRD READING**

Rep. WEEKS moved to reconsider the vote whereby the following Bill was given unanimous consent for third reading on Friday, Feb. 22, which was agreed to:

H. 3184 -- Reps. Pope, R. L. Brown, M. S. McLeod, Weeks, Bales, Gilliard, Whipper, W. J. McLeod and Mitchell: A BILL TO AMEND SECTION 22-5-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A PERSON MAY BE ELIGIBLE FOR EXPUNGEMENT OF A FIRST OFFENSE CRIME WHICH CARRIES A FINE OF ONE THOUSAND DOLLARS RATHER THAN FIVE HUNDRED DOLLARS.

**H. 3184--RECONSIDERED SECOND READING**

Rep. WEEKS moved to reconsider the vote whereby the following Bill was given second reading, which was adopted:

H. 3184 -- Reps. Pope, R. L. Brown, M. S. McLeod, Weeks, Bales, Gilliard, Whipper, W. J. McLeod and Mitchell: A BILL TO AMEND SECTION 22-5-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A PERSON MAY BE ELIGIBLE FOR EXPUNGEMENT OF A FIRST OFFENSE CRIME WHICH CARRIES A FINE OF ONE THOUSAND DOLLARS RATHER THAN FIVE HUNDRED DOLLARS.

**H. 3184--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3184 -- Reps. Pope, R. L. Brown, M. S. McLeod, Weeks, Bales, Gilliard, Whipper, W. J. McLeod and Mitchell: A BILL TO AMEND SECTION 22-5-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A PERSON MAY BE ELIGIBLE FOR EXPUNGEMENT OF A FIRST OFFENSE CRIME WHICH CARRIES A FINE OF ONE THOUSAND DOLLARS RATHER THAN FIVE HUNDRED DOLLARS.

Rep. POPE proposed the following Amendment No. 4 to H. 3184 (COUNCIL\MS\3184C008.MS.AHB13), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 22‑5‑910 of the 1976 Code, as last amended by Act 36 of 2009, is further amended to read:

“Section 22‑5‑910. (A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of ~~five hundred~~ one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction. However, this section does not apply to:

(1) an offense involving the operation of a motor vehicle;

(2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized; or

(3) an offense contained in Chapter 25, Title 16, except first offense criminal domestic violence as contained in Section 16‑25‑20, which may be expunged five years from the date of the conviction.

(B) If the defendant has had no other conviction during the three‑year period, or during the five‑year period as provided in subsection (A)(3), following the first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of not more than ~~five hundred~~ one thousand dollars, or both, including a conviction in magistrates or general sessions court, the circuit court may issue an order expunging the records. No person may have his records expunged under this section more than once. A person may have his record expunged even though the conviction occurred prior to June 1, 1992.

(C) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release ~~under~~ pursuant to Section 34‑11‑95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(D) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail.”

SECTION 2. Section 17‑1‑40(A) of the 1976 Code is amended to read:

“(A)(1)A person who after being charged with a criminal offense and the charge is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency. Provided, however, that local and state detention and correctional facilities may retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years from the date of the expungement order to manage their statistical and professional information needs and, where necessary, to defend such facilities during litigation proceedings except when an action, complaint, or inquiry has been initiated. Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued is not a public document and is exempt from disclosure. Such information only may be disclosed by judicial order, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings. A person who otherwise intentionally retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed pursuant to this section is guilty of contempt of court.

(2) If a person has been issued a courtesy summons pursuant to section 22‑3‑330 or another provision of law and the charge for which the courtesy summons was issued is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency in accordance with the provisions of item (1).

In addition, a person who violates the provisions of this item is subject to the same penalty as provided in item (1).”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. POPE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3184--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. WEEKS, with unanimous consent, it was ordered that H. 3184 be read the third time tomorrow.

**RECURRENCE TO THE MORNING HOUR**

Rep. WELLS moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3525 -- Reps. Hayes, Barfield, Clemmons, H. A. Crawford, George, Goldfinch, Hardee, Hardwick and Ryhal: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 9 AND 410 IN HORRY COUNTY "LIEUTENANT JOHN RONALD FLOYD INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "LIEUTENANT JOHN RONALD FLOYD INTERSECTION".

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3552 -- Reps. Clemmons and Harrell: A HOUSE RESOLUTION TO EXPRESS SUPPORT TO THE WESTERN STATES OF THE UNITED STATES OF AMERICA AND THE FEDERAL TRANSFER OF PUBLIC LANDS TO THE WESTERN STATES, AND TO URGE THE UNITED STATES CONGRESS TO ENGAGE IN GOOD FAITH COMMUNICATION AND COOPERATION TO COORDINATE THE TRANSFER OF TITLE TO THE WESTERN STATES.

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 251 -- Senators Scott, Massey, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PLEASANT LANE ROAD IN EDGEFIELD COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 25 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 378 "MAMIE J. REARDEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MAMIE J. REARDEN HIGHWAY".

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 324 -- Senator L. Martin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE OVER HIGHWAY 123 AT THE INTERSECTION OF HIGHWAY 123 AND ROAD 37-18 AS THE SAMUEL MAVERICK BRIDGE AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THE WORDS "SAMUEL MAVERICK BRIDGE".

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3597 -- Reps. G. M. Smith, Weeks, G. A. Brown, Ridgeway, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR WALTER G. "SONNY" NEWMAN, FORMER SUMTER CITY COUNCIL MEMBER, AFTER SIXTEEN YEARS OF OUTSTANDING SERVICE TO THE CITIZENS OF SUMTER, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3598 -- Rep. Barfield: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ANTHONY EUGENE "T. J." JOHNSON FOR A STELLAR CAREER AT THE UNIVERSITY OF SOUTH CAROLINA BOTH AS AN OUTSTANDING ATHLETE

ON THE GAMECOCK FOOTBALL TEAM AND AS AN EXEMPLARY STUDENT.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3599 -- Reps. Hiott, Owens and Skelton: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RODDEY E. GETTYS III, THE FORMER CEO OF BAPTIST EASLEY HOSPITAL, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-THREE YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3600 -- Rep. Allison: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND RACHEL BRYSON FOR HER OUTSTANDING COMMUNITY SERVICE AND TO CONGRATULATE HER UPON BEING NAMED A 2013 PRUDENTIAL SPIRIT OF COMMUNITY AWARD DISTINGUISHED FINALIST AND EXTEND BEST WISHES FOR HER CONTINUED SUCCESS AND HAPPINESS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3603 -- Reps. Goldfinch, Anderson and H. A. Crawford: A CONCURRENT RESOLUTION TO MEMORIALIZE THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT H.R. 355 AND S. 218 TO ENSURE THAT HARBOR MAINTENANCE TRUST FUND REVENUES ARE APPROPRIATED IN AN AMOUNT EQUAL TO REVENUE COLLECTED, AND USED FOR ITS INTENDED PURPOSE OF DREDGING AND MAINTAINING OUR NATION'S WATERWAYS.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3601 -- Reps. Barfield, Clemmons, Hardee, Cobb-Hunter, Ott, Bingham, Norman, Pitts and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SCHOOL PROTECTION OFFICER ACT"; BY ADDING SECTION 59-1-165 SO AS TO DEFINE A SCHOOL PROTECTION OFFICER; BY ADDING SECTION 59-66-25 SO AS TO PROVIDE EACH SCHOOL MAY EMPLOY A SCHOOL PROTECTION OFFICER DURING REGULAR OPERATIONAL HOURS DURING THE SCHOOL YEAR, AND TO PROVIDE THE PURPOSE OF EMPLOYING THIS OFFICER; AND BY ADDING SECTION 23-23-112 SO AS TO CREATE A CLASS 4 LAW ENFORCEMENT OFFICER CATEGORY FOR THE DESIGNATION OF SCHOOL PROTECTION OFFICERS, TO PROVIDE THE LAW ENFORCEMENT COUNCIL MUST DEVELOP GUIDELINES FOR RELATED TRAINING THAT MUST BE OFFERED BY THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE SPECIFIC REQUIREMENTS FOR THIS TRAINING, AND TO PROVIDE NECESSARY DEFINITIONS.

Referred to Committee on Education and Public Works

H. 3602 -- Reps. Weeks, Cobb-Hunter, Clemmons, Pope, Kennedy, M. S. McLeod, Tallon, Murphy, Crosby, McCoy, Dillard, Long, Bowen, Munnerlyn, Sellers, Limehouse, Brannon, Gilliard, Bales, Barfield, Bowers, Branham, G. A. Brown, R. L. Brown, Daning, Delleney, Edge, Funderburk, Henderson, Horne, Howard, Huggins, Jefferson, Loftis, Lowe, W. J. McLeod, Merrill, D. C. Moss, Norman, Powers Norrell, Quinn, Sandifer, Simrill, G. M. Smith, Spires, Taylor, Wells, Whipper and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-131 SO AS TO CREATE AN OFFENSE RELATING TO STEALING GOODS OR MERCHANDISE FROM A MERCHANT BY AFFIXING A PRODUCT CODE AND TO PROVIDE A PENALTY; BY ADDING SECTION 16-13-135 SO AS TO DEFINE NECESSARY TERMS, CREATE AN OFFENSE RELATING TO RETAIL THEFT, AND TO PROVIDE A PENALTY; TO AMEND SECTION 16-13-440, RELATING TO THE USE OF A FALSE OR FICTITIOUS NAME OR ADDRESS TO OBTAIN A REFUND FROM A BUSINESS ESTABLISHMENT FOR MERCHANDISE, SO AS TO INCLUDE USING A FALSE OR ALTERED IDENTIFICATION CARD TO COMMIT CERTAIN RETAIL THEFT OFFENSES; TO AMEND SECTION 16-13-180, AS AMENDED, RELATING TO RECEIVING STOLEN GOODS, SO AS TO INCLUDE RECEIVING OR POSSESSING STOLEN GOODS WHEN THE PERSON IS ON NOTICE BY LAW ENFORCEMENT THAT THE GOODS ARE STOLEN; TO AMEND SECTION 17-25-323, RELATING TO DEFAULT ON COURT-ORDERED PAYMENTS INCLUDING RESTITUTION BY PERSONS ON PROBATION OR PAROLE AND CIVIL JUDGMENTS AND LIENS, SO AS TO INCLUDE DEFENDANTS WHO DEFAULT ON THE VARIOUS MAGISTRATES COURT OR MUNICIPAL COURT-ORDERED PAYMENTS INCLUDING RESTITUTION IN THE PURVIEW OF THE STATUTE AND TO PROVIDE THAT A FILING FEE OR OTHER FEE MAY NOT BE REQUIRED WHEN SEEKING A CIVIL JUDGMENT; TO AMEND SECTION 14-25-65, AS AMENDED, RELATING TO PENALTIES THE MAGISTRATES COURT MAY IMPOSE, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT; AND TO AMEND SECTION 22-3-550, AS AMENDED, RELATING TO THE JURISDICTION OF THE MAGISTRATES COURT OVER MINOR OFFENSES, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT AND TO INCLUDE VIOLATIONS OF SECTIONS 16-13-180 AND 16-13-440 IN THOSE OFFENSES FOR WHICH A MAGISTRATE HAS THE POWER TO SENTENCE A PERSON TO CONSECUTIVE TERMS OF IMPRISONMENT TOTALING MORE THAN NINETY DAYS.

Referred to Committee on Judiciary

H. 3604 -- Rep. Patrick: A BILL TO AMEND SECTION 5-7-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS CONFERRED UPON MUNICIPALITIES, SO AS TO PROVIDE THAT A BUSINESS INVOLVED IN MANUFACTURING IS NOT SUBJECT TO A BUSINESS LICENSE FEE ON GROSS INCOME DERIVED FROM INTERSTATE OR INTERNATIONAL SALES OF ITS MANUFACTURED PRODUCTS.

Referred to Committee on Labor, Commerce and Industry

H. 3605 -- Reps. Hamilton, Patrick, Finlay, Neal, Erickson, Quinn, Govan, Owens, Mitchell, Huggins, Hardwick, Merrill, Anthony, McCoy, Stavrinakis, Hosey, W. J. McLeod, Clyburn, Bannister, Barfield, Bowen, Bowers, Branham, Clemmons, Cole, Henderson, Herbkersman, Hiott, Hodges, Jefferson, Loftis, Long, V. S. Moss, Munnerlyn, Nanney, Pope, Powers Norrell, Putnam, Simrill, G. R. Smith, J. R. Smith, Spires, Stringer and Willis: A BILL TO AMEND SECTION 12-65-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS ALLOWABLE FOR A PORTION OF THE EXPENSES INCURRED BY A TAXPAYER IN THE REHABILITATION, RENOVATION, OR REDEVELOPMENT OF A TEXTILE MILL SITE, SO AS TO MAKE THE INCOME TAX CREDITS ALLOWED TRANSFERABLE.

Referred to Committee on Ways and Means

H. 3606 -- Reps. Stavrinakis, G. M. Smith and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-23-135 SO AS TO ALLOW A DEFENDANT TO ENTER A CONDITIONAL PLEA OF GUILTY OR NO CONTEST OR NOLO CONTENDERE RESERVING CERTAIN RIGHTS OF THE DEFENDANT TO WITHDRAW THE CONDITIONAL PLEA AND TO PROVIDE A PROCEDURE FOR THE ACCEPTANCE OF A CONDITIONAL PLEA AFTER A PLEA AGREEMENT HAS BEEN ACCEPTED WITH THE CONSENT OF THE SOLICITOR OR PROSECUTING ATTORNEY.

Referred to Committee on Judiciary

S. 15 -- Senators Grooms, Campsen, Ford, Young and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "TAXPAYER FAIRNESS ACT" BY ADDING SECTION 12-4-397 TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA DEPARTMENT OF REVENUE MUST INTERPRET TAX STATUTES OF THIS STATE, TO PROVIDE THAT TERMS IN THE TAX STATUTES OF THIS STATE MAY NOT BE GIVEN BROADER MEANING THAN INTENDED BY POLICY DOCUMENTS AND REGULATIONS OF THE DEPARTMENT OF REVENUE, TO PROVIDE THAT AMBIGUITY IN TAX STATUTES MUST BE RESOLVED IN FAVOR OF THE TAXPAYER, TO REQUIRE THE DEPARTMENT TO REPORT AMBIGUITIES TO CERTAIN MEMBERS OF THE GENERAL ASSEMBLY, AND TO DEFINE "TAX STATUTES OF THIS STATE".

Referred to Committee on Ways and Means

S. 22 -- Senators Sheheen, Massey, L. Martin, Hayes, Campsen, Nicholson, Young and Alexander: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2013" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10 OF THE 1976 CODE, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY AMENDING SECTION 1-11-10, TO DIVEST THE BUDGET AND CONTROL BOARD OF CERTAIN PROGRAMS, POWERS, DUTIES, AND RESPONSIBILITIES AND TRANSFER THOSE PROGRAMS, POWERS, DUTIES, AND RESPONSIBILITIES TO OTHER GOVERNMENT AGENCIES; BY AMENDING SECTION 1-11-20, TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR THE TRANSITION; BY ADDING ARTICLE 2 TO CHAPTER 3, TITLE 1, TO ESTABLISH THE EXECUTIVE BUDGET AND STRATEGIC PLANNING OFFICE WITHIN THE DEPARTMENT OF ADMINISTRATION, AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY OF THE OFFICE; BY ADDING CHAPTER 2 TO TITLE 2 TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; BY ADDING CHAPTER 55 TO TITLE 11 TO ESTABLISH THE STATE FISCAL ACCOUNTABILITY AUTHORITY, TO PROVIDE FOR THE MEMBERSHIP OF THE AUTHORITY, AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE AUTHORITY; TO AMEND CHAPTER 35, TITLE 11 BY ADDING SECTION 11-35-315 TO ESTABLISH THE PROCUREMENT OVERSIGHT BOARD, THE MEMBERSHIP ON THE BOARD, AND THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE BOARD; TO AMEND CHAPTER 3, TITLE 2 BY ESTABLISHING THE LEGISLATIVE FISCAL OFFICE, AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE OFFICE, TO AMEND TITLE 2 BY ADDING CHAPTER 79 TO ENACT THE STATE AGENCY DEFICIT PREVENTION AND RECOGNITION ACT, AND TO PROVIDE FOR THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH AGENCY DEFICIT PREVENTION AND RECOGNITION; TO AMEND CHAPTER 17, TITLE 60 TO ESTABLISH THE CONFEDERATE RELIC ROOM AND MILITARY MUSEUM COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE COMMISSION; TO AMEND TITLE 2 BY ADDING A CHAPTER 9 TO ESTABLISH THE JOINT STRATEGIC TECHNOLOGY COMMITTEE, TO PROVIDE FOR THE MEMBERS ON THE COMMITTEE AND THE POWERS, DUTIES, AND AUTHORITY TO BE EXERCISED BY THE COMMITTEE; TO ESTABLISH THE CHARLESTON NAVY BASE MUSEUM AUTHORITY, TO PROVIDE THAT THE AUTHORITY MAY EXERCISE ALL POWERS AND AUTHORITY GRANTED TO THE HUNLEY COMMISSION BY SPECIFIC STATUTORY AUTHORITY REFERENCED IN SECTIONS 54-7-100 AND 54-7-110; BY ADDING SECTION 1-11-185, TO PROVIDE FOR APPROVALS FOR PERMANENT IMPROVEMENT PROJECTS; BY ADDING SECTION 11-31-5, TO PROVIDE THAT STATE BOARD MEANS THE GOVERNING BODY OF THE STATE FISCAL AFFAIRS AUTHORITY; BY ADDING SECTION 11-50-65, TO PROVIDE THAT THE STATE FISCAL AFFAIRS AUTHORITY MUST PROVIDE ADMINISTRATIVE SUPPORT TO THE RURAL INFRASTRUCTURE AUTHORITY; TO AMEND SECTIONS 1-11-20, 1-11-25, 1-11-26, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-140, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435, 1-11-440, 1-15-10, CHAPTER 47, TITLE 2, 2-7-72, 2-7-73, 2-7-74, 2-7-76, 2-13-240, 2-15-50, 2-59-10, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, 10-11-90, 10-11-110, 10-11-140, 10-11-330, 11-9-610, 11-9-620, 11-9-630, 11-9-665, 11-9-670, 11-9-680, 11-9-820, 11-9-825, 11-9-830, 11-9-880, 11-9-890, 11-18-20, 11-27-10, 11-35-310, 11-35-3820, 11-35-3840, 11-35-5270, 11-37-30, 11-37-200, 11-38-20, 11-40-20, 11-40-250, 11-41-70, 11-41-80, 11-41-90, 11-41-100, 11-42-30, 11-42-40, 11-42-60, 11-43-510, 11-45-30, 11-45-55, 11-45-105, 11-49-40, 11-50-50, 11-49-100, 11-51-30, 11-51-125, 11-51-190, 11-53-20, 13-7-10, 13-7-30, 13-7-810, 13-7-830, 13-7-860, 15-78-140, 16-3-1620, 16-3-1680, 25-11-10, 25-11-80, 25-11-90, 25-11-310, 44-38-380, 44-53-530, 44-96-140, 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, 48-52-460, 48-52-635, 48-52-680, 59-109-30, 59-109-40, 59-115-20, 59-115-40, 63-11-500, 63-11-700, 63-11-730, 63-11-1110, 63-11-1140, 63-11-1310, 63-11-1340, 63-11-1360 and 63-11-1510 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE DEPARTMENT OF ADMINISTRATION, STATE FISCAL ACCOUNTABILITY AUTHORITY, AND OTHER STATE AGENCIES, AND TO SUPPLEMENT SUCH PROVISIONS; AND TO REPEAL SECTIONS 1-30-110, 1-11-22, AND 11-11-90.

Referred to Committee on Judiciary

S. 374 -- Senator Peeler: A BILL TO AMEND SECTION 30-5-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERFORMANCE OF THE DUTIES OF THE REGISTER OF DEEDS, SO AS TO ADD CHEROKEE COUNTY TO THOSE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THOSE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND TO AMEND SECTION 30-5-12, AS AMENDED, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD CHEROKEE COUNTY TO THOSE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY SHALL APPOINT THE REGISTER OF DEEDS.

Referred to Committee on Judiciary

Rep. WOOD moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3553 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE THE TOWN OF IRMO ON BEING NAMED A 2012 SOUTH CAROLINA OUTSTANDING TRAFFIC SAFE COMMUNITY BY THE AAA CAROLINAS FOUNDATION FOR TRAFFIC SAFETY, AND TO HONOR THE IRMO POLICE DEPARTMENT FOR ITS ESSENTIAL ROLE IN ACHIEVING THIS RECOGNITION.

H. 3395 -- Reps. V. S. Moss, D. C. Moss, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE IN CHEROKEE COUNTY THAT CROSSES THE NORFOLK SOUTHERN RAILWAY TRACKS ALONG UNITED STATES HIGHWAY 29 THE "EDNA H. HAMRICK MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "EDNA H. HAMRICK MEMORIAL BRIDGE".

H. 3549 -- Reps. Hardwick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO COMMEND THE MEMBERS AND ALUMNI OF THE FUTURE FARMERS OF AMERICA FOR THEIR DEDICATION TO MAINTAINING A STRONG AND VIABLE AGRICULTURAL INDUSTRY THROUGH EDUCATION, LEADERSHIP, AND SERVICE, AND TO JOIN THE CELEBRATION OF NATIONAL FUTURE FARMERS OF AMERICA WEEK FROM FEBRUARY 16 THROUGH 23, 2013.

H. 3577 -- Reps. Owens, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE THE TWENTY-FIVE SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2013 ACADEMIC ALL-STATE TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

**ADJOURNMENT**

At 1:15 p.m. the House, in accordance with the motion of Rep. ALLISON, adjourned in memory of Dr. Truman Michael Raley of Columbia, to meet at 10:00 a.m. tomorrow.

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